

controversy exceeds Seventy-Five Thousand (\$75,000.00) Dollars and the parties are completely diverse.

5. Pursuant to 28 U.S.C. § 1391(b)(2), venue is appropriate because a "substantial part of the events or omissions giving rise to the claim occurred" within this judicial district.

6. This Court has specific personal jurisdiction over the Defendant, **Wal-Mart Stores East, LP**, because this suit arises from the Defendant's activities within the forum state. Specifically, this suit arises from Defendant's negligence in maintaining and/or creating a hazard within the aisles of one of the Defendant's stores in Tennessee.

BACKGROUND

7. On or about March 8, 2020, the Plaintiff, **Margaret Hedrick**, was shopping at the Wal-Mart Supercenter #685 located at 475 Crockett Trace Drive, Morristown, Tennessee 37813.

8. As the Plaintiff, **Margaret Hedrick**, was browsing for merchandise, her foot contacted a rigid object that was protruding from underneath a merchandise cooler.

9. Upon information and belief, the protruding object was a metal flashing-type piece that was supposed to be securely connected to the bottom of the merchandise cooler.

9. When her foot became caught on the protruding object, the Plaintiff, **Margaret Hedrick**, fell to the floor and sustained serious injuries.

CAUSES OF ACTION
COUNT I: NEGLIGENCE

10. The Plaintiff, **Margaret Hedrick**, incorporates by reference all preceding paragraphs as if fully set forth herein.

11. The Defendant, **Wal-Mart Stores East, LP**, was negligent in the following ways:

- a. Failing to properly keep its aisles free and clear of hazards;
- b. Failing to warn the Plaintiff and other customers of the existence of the hazard;
- c. Failing to properly inspect its aisles to ensure the aisles were free and clear of hazards;
- d. Failing to maintain the cooler in a reasonably safe condition free of trip hazards.

12. The Defendant, **Wal-Mart Stores East, LP**, had actual and/or constructive notice of the hazard.

13. The existence of the hazard was the direct and proximate cause of Plaintiff's injuries.

14. The Defendant, **Wal-Mart Stores East, LP**, knew or should have known of the existence of the broken and defective cooler.

15. The Defendant, **Wal-Mart Stores East, LP**, knew or should have known of the existence of the hazardous condition and that it posed a dangerous condition to customers.

16. The Plaintiff, **Margaret Hedrick**, brings this civil action against the Defendant, **Wal-Mart Stores East, LP**, for personal injuries and damages, medical

bills and expenses which she was caused to receive on or about March 8, 2020.

17. The Plaintiff, **Margaret Hedrick**, brings this civil action against the Defendant, **Wal-Mart Stores East, LP**, for personal injuries and damages, medical bills and expenses which she was caused to receive on or about March 8, 2020.

18. The Plaintiff, **Margaret Hedrick**, brings this civil action against the Defendant, **Wal-Mart Stores East, LP**, for injuries which she was caused to receive on or about March 8, 2020. As a result of this accident, **Margaret Hedrick** has sustained serious and disabling injuries. Said injuries to the Plaintiff have resulted in permanent disability and have impaired her capacity for work, labor, business and the enjoyments and pleasures of life. As a result of these injuries, Plaintiff has incurred and shall continue to incur medical bills as well as pain and suffering.

WHEREFORE, the Plaintiff, **Margaret Hedrick**, asks for judgment against the Defendant, **Wal-Mart Stores East, LP**, in a sum of no less than Seven Hundred Ninety-Five Thousand Four Hundred and Fifty Dollars (\$795,450), and asks for a jury in the trial of this cause.

Respectfully submitted,

/s/ F. Braxton Terry

F. Braxton Terry, BPR #018248

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